

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Defendant.

No. 1:14-cv-14176-ADB

**MOTION FOR ADMISSION *PRO HAC VICE*
OF NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.**

Pursuant to Local Rule 83.5.3, attorneys Kate R. Cook and Kenneth N. Thayer, members in good standing of the bar of the Commonwealth of Massachusetts and this Court and attorneys at the law firm Sugarman, Rogers, Barshak & Cohen, P.C., respectfully move this Court to grant permission to the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), by and through its attorneys Sherrilyn A. Ifill, Janai S. Nelson, Samuel Spital, Jin Hee Lee, Rachel M. Kleinman, Michael N. Turnage Young, Jennifer A. Holmes, and Cara McClellan, to appear and practice *pro hac vice* in this matter as counsel for amici curiae Harvard-Radcliffe Black Students Association, Kuumba Singers of Harvard College, Fuerza Latina of Harvard, Native Americans at Harvard College, Harvard-Radcliffe Asian American Association, Harvard-Radcliffe Asian American Women’s Association, Harvard Asian American Brotherhood, Harvard Vietnamese Association, Harvard-Radcliffe Chinese Students Association, Harvard Korean Association, Harvard Japan Society, Harvard South Asian Association, Harvard Islamic Society, Task Force on Asian and Pacific American Studies at Harvard College, Harvard Phillips Brooks House Association, Harvard Minority Association of Pre-Medical Students, Coalition for a Diverse Harvard, First Generation Harvard Alumni, Native American Alumni of Harvard University,

Harvard University Muslim Alumni, and Harvard Latino Alumni Alliance (collectively, “Amici”).

1. Sherrilyn A. Ifill is the President and Director Counsel at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. She is a member of good standing of the bars of the State of New York, the State of Maryland and the District of Columbia; the United States District Courts for the Southern District of New York and the District of Maryland; the United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and D.C. Circuits; and the Supreme Court of the United States. There are no disciplinary proceedings pending against Ms. Ifill in any jurisdiction. Ms. Ifill is familiar with the issues of this case and the Local Rules of this Court.

2. Janai S. Nelson is the Associate Director-Counsel at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. She is a member of good standing of the bars of the State of New York and the District of Columbia; the United States District Courts for the Eastern and Southern Districts of New York; the United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and D.C. Circuits; and the Supreme Court of the United States. There are no disciplinary proceedings pending against Ms. Nelson in any jurisdiction. Ms. Nelson is familiar with the issues of this case and the Local Rules of this Court.

3. Samuel Spital is Director of Litigation at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. He is a member of good standing of bars of the State of New York; the United States District Courts for the Southern District of New York and the District of Columbia; the United States Courts of Appeals for the Second, Third, Fourth, Fifth, and Eleventh Circuits; and the Supreme Court of the United States. There are no disciplinary proceedings pending against Mr. Spital in any jurisdiction. Mr. Spital is familiar with the issues of this case and the Local Rules of this Court.

4. Jin Hee Lee is Senior Deputy Director of Litigation at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. She is a member of good standing of the bars of the State of New York; the United States District Courts for the Eastern and Southern Districts of New York; the United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and D.C. Circuits; and the Supreme Court of the United States. There are no disciplinary proceedings pending against Ms. Lee in any jurisdiction. Ms. Lee is familiar with the issues of this case and the Local Rules of this Court.

5. Rachel M. Kleinman serves as Senior Counsel and Director of Professional Development at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. She is a member of good standing of the bars of the State of New York; the United States District Courts for the Eastern and Southern Districts of New York; the United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and D.C. Circuits; and the Supreme Court of the United States. There are no disciplinary proceedings pending against Ms. Kleinman in any jurisdiction. Ms. Kleinman is familiar with the issues of this case and the Local Rules of this Court.

6. Michael N. Turnage Young serves as Senior Counsel at LDF, located at 700 14th Street NW, 8th Floor, Washington, D.C. 20005. She is a member of good standing of the bars of the states of California and Illinois (though she is inactive in Illinois); the United States District Courts for the Northern, Central, Eastern and Southern Districts of California and the Northern District of Illinois; and the United States Courts of Appeals for the Fifth, Seventh, and Ninth Circuits. There are no disciplinary proceedings pending against Ms. Turnage Young in any jurisdiction. Ms. Turnage Young is familiar with the issues of this case and the Local Rules of this Court.

7. Jennifer A. Holmes is an attorney at LDF, located at 700 14th Street NW, 8th Floor, Washington, D.C. 20005. She is a member in good standing of the bars of the State of New York and the District of Columbia. There are no disciplinary proceedings pending against Ms.

Holmes in any jurisdiction. Ms. Holmes is familiar with the issues of this case and the Local Rules of this Court.

8. Cara McClellan is an attorney at LDF, located at 40 Rector Street, 5th Floor, New York, NY 10006. She is a member in good standing of the bars of the State of New York; the United States District Court for the District of Maryland; and the United States Courts of Appeals for the Fourth, Fifth, and Eleventh Circuits. There are no disciplinary proceedings pending against Ms. McClellan in any jurisdiction. Ms. McClellan is familiar with the issues of this case and the Local Rules of this Court.

9. Kate R. Cook and Kenneth N. Thayer, members in good standing of the Bar of the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts, will continue to represent the Amici as local counsel if this motion is granted.

10. In support of this Motion, Amici submit the Certifications of Ms. Ifill, Ms. Nelson, Mr. Spital, Ms. Lee, Ms. Kleinman, Ms. Turnage Young, Ms. Holmes, and Ms. McClellan.

WHEREFORE, Amici, by their attorneys Kate R. Cook and Kenneth N. Thayer, respectfully request that this Court grant permission to Sherrilyn A. Ifill, Janai S. Nelson, Samuel Spital, Jin Hee Lee, Rachel M. Kleinman, Michael N. Turnage Young, Jennifer A. Holmes, and Cara McClellan, to appear and practice *pro hac vice* on behalf of Amici.

Dated: July 30, 2018

Respectfully submitted,

/s/ Kenneth N. Thayer
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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that on July 30, 2018, counsel for the above-listed amici curiae conferred with counsel for the plaintiff, Students for Fair Admissions, Inc., and with counsel for the defendant, President and Fellows of Harvard College, and both parties indicated their assent to this motion.

/s/ Kenneth N. Thayer

Kenneth N. Thayer, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2018, a copy of the foregoing MOTION FOR ADMISSION *PRO HAC VICE* OF NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. was filed through the Court's ECF system, which provided notice of this filing to all counsel of record via the CM/ECF system.

/s/ Kenneth N. Thayer
Kenneth N. Thayer, Esq.